

testing the value of the deep-water deposits. We did not know yet what hidden wealth we may have in these deposits, which were inaccessible to native divers. He thought the evidence which the House was now in possession of was altogether opposed to the idea that the exhausted shallow banks were quickly replenished, under any circumstances; and, seeing that this proposal was supported by the two members for the district, he thought they might safely accept the amendment to reopen the banks from Cape Thoun to Depuche Island.

The amendment submitted by Mr. MARMION was then put and carried.

#### LEGISLATIVE COUNCIL ACT AMENDMENT BILL.

The House then resolved itself into a committee of the whole, for the consideration of this bill, which constitutes Kimberley a separate electorate, and gives it a member of its own.

Clause 1—agreed to.

Clause 2—"From and after the coming into operation of this Act the Legislative Council shall consist of twenty-six members, nine of whom (being one-third of the next greater number which is divisible by three) shall be appointed by Her Majesty . . . and seventeen of whom shall from time to time be elected, as by law provided."

MR. MARMION said that, since this bill was under consideration before, a feeling appeared to have come over the majority of hon. members that it would be unwise to go further than the provisions of the bill were intended to extend, as regards increasing the number of electorates and of the members of that House. He might say that so far as he was concerned personally he was quite willing to fall in with the majority of hon. members, and it was not his intention to take any further action with reference to what had been suggested when the bill was read a second time, as to increasing the number of the present constituencies. He thought, however, there was a feeling on the part of hon. members generally that, as regards the new electoral district of Kimberley, it would be well if some provision were made, and a clause inserted in the bill, whereby the election of a member for

that district should take place in time for the new member to take his seat in that House next session.

The clause was then adopted, and the remaining clauses were agreed to *sub silentio*.

Progress was afterwards reported, and leave given the committee to sit again another day.

The House adjourned at one o'clock, p.m.

#### LEGISLATIVE COUNCIL,

Friday, 9th July, 1886.

Antecedents of late Wharfinger, Fremantle—Vote for Rabbit destruction—Sale of Derby allotments—Antecedents of David Carley—Apprehension of Portuguese sailors at Albany, in 1884—Public Health Bill: first reading—Bont Licensing Bill: second reading—Excess Bill, 1881: third reading—Hawkers Act, 1882, Amendment Bill: third reading—Chinese Immigration Bill: second reading—Legislative Council Act Amendment Bill: in committee—Adjournment.

THE SPEAKER took the Chair at seven o'clock, p.m.

#### PRAYERS.

#### ANTECEDENTS OF THE LATE WHARFINGER AT FREMANTLE.

MR. SCOTT, in accordance with notice, asked the Acting Colonial Secretary whether the Government were aware of the antecedents of the late Wharfinger at Fremantle (Mr. Fenwick) at the time of his appointment? The hon. member said he rose to speak to the question with some amount of diffidence, but it would be in the recollection of hon. members that in a late trial at the Supreme Court, a public official, who then held the position of Wharfinger at Fremantle—a post of some importance and responsibility, and carrying a certain salary out of public funds—made such an exhibition of himself (for he could call it nothing

else) as certainly did not reflect credit upon the public service of the colony, nor upon society generally, and Fremantle particularly. He asked this question more with the view of strengthening the hands of the Government, rather than otherwise, with reference to such appointments. He did not for a moment think but that the Government had acted with all due caution in this matter, but at the same time the Government must have been misled in making such an appointment. This man came here from New South Wales under a cloud (so to speak), and he (Mr. Scott) thought that those who recommended him to the Government for an appointment must have been aware of the antecedents and general character of the individual in question; and he thought that in justice to society, in justice to the colony, and in justice to the public service itself, the Government ought to be most cautious and careful as to allowing persons of such character as the late wharfinger to take up a public position here, for they could not but feel that a man holding a responsible position under the Government should in virtue of that very position be a man of good moral character and without reproach. He only hoped that the Government when they made the appointment were not aware of this person's previous career, and that they acted with all due caution in making the appointment, and that the fault lay with somebody else.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) replied that the Government were not aware of any special circumstances in the previous career of Mr. Fenwick until after he had accepted the appointment of Wharfinger, which was offered to him in consequence of a strong recommendation having been made in his favor by a responsible person in another colony.

#### VOTE FOR RABBIT DESTRUCTION.

SIR T. COCKBURN-CAMPBELL, in accordance with notice, asked the Acting Colonial Secretary whether the Government proposed to take a vote on the Estimates for 1887, for the destruction of rabbits? Hon. members were aware that an Act had been passed to enable the Government to deal with the question of rabbit destruction, but no

special vote appeared to have been taken to carry out the provisions of the Act. He noticed by the report of one of the inspectors that some of the islands along the coast were swarming with rabbits, and that in one place near Albany they had reached the mainland, and it would probably be necessary to fence this locality, at a cost of something like £150. Some expenditure would also probably be required for the destruction of rabbits on the islands. Considerable anxiety was felt on the subject as to the action of the Government in coping with this threatened rabbit invasion.

THE ACTING COLONIAL SECRETARY (Hon. M. S. Smith) replied that it was at present thought that any charges under this head might be met from the vote for Miscellaneous and Incidental Expenditure; but there would be no objection to a separate vote, if required.

#### SALE OF DERBY ALLOTMENTS.

MR. MARMION asked the Commissioner of Crown Lands to lay upon the table of the House a return showing the number of Derby allotments sold to date—inclusive of those sold on July 7th instant—together with the amount realised by such lots; also to lay a map of Derby on the table showing the lots sold and those applied for, in distinct colors. The hon. member said the motion was sufficiently explicit without any remarks on his part, and he thought the information would be of interest to the House and to the public.

THE COMMISSIONER OF CROWN LANDS (Hon. J. Forrest) laid on the table the information asked for.

#### DAVID CARLEY'S ANTECEDENTS, AND HIS ACCUSATIONS AGAINST THE NORTH-WEST SETTLERS.

MR. GRANT, in accordance with notice, moved the following resolution:—"That in consequence of letters published in the *Daily News* of June 22nd, and also the *Daily Telegraph*, Melbourne, over the name of David Carley, in which certain grave charges are advanced against the Government of this colony, as well as against the settlers of the Northern Districts, and as this person has been cited

by the Rev. J. B. Gribble (lately discharged from the Gascoyne Mission), as an authority in charges he has made against Church, State, and individuals, it is desirable that the Government should make such inquiry as may be necessary to ascertain under what circumstances the said David Carley came to this colony, and whether he has been charged with any offences against the laws of this colony, and, if so, what those charges were; such information to be laid on the table of this House, so that the House and public may be able to estimate what degree of reliance may be placed upon his statements." The hon. member said this matter was one of extraordinary interest to the residents of the colony as well as to the Government. Certain newspaper reports had been published by a man who signed himself "David Carley" reflecting most seriously upon the conduct of the settlers, with the connivance of the Government, and although it was very much against his feelings to rake up the antecedents of any man, he thought that in this case it was a matter of necessity that it should be done, so that the people of the colony and the world at large should know who this man is. No doubt it was somewhat unique to move such a resolution, and to rake up the past history of a man, which was supposed to be buried in oblivion, but when a whole colony was traduced as this colony had been traduced, and especially the North-West settlers as regards their treatment of the natives, he thought that in common justice the world should know upon whose authority such calumnies were circulated, and what amount of credence there was to be placed upon such statements. He thought he might be allowed to read the letter which this man Carley had written to the *Daily News*, in support of the present motion. This letter was like a challenge against the North-West people, and it libelled them in the grossest manner, and, he thought, he should be wanting in his duty as their representative if he were to allow such a letter to pass without bringing it under the notice of the House. He should therefore ask leave to read the letter.

**THE SPEAKER:** The hon. member is quite in order.

**MR. GRANT** said the letter appeared

in the *Daily News* of the 22nd June, and was as follows:—

#### THE NATIVE QUESTION.

SIR,—Will you allow me through the medium of your paper, to say a few words to my North-West friends, whose threats I heard of on Tuesday night last in St. George's Hall. They are very brave with a naked, defenceless native, or with a clergyman, who they know will not resist them; but they will not lay hands on any one that would pay them back in their own coin. The Rev. J. B. Gribble will soon leave this colony for the eastern colonies, and unarmed, in spite of all threats. I will now relate a few facts, which are not generally known. In 1872 I made my first report in writing to proper authorities in Roebourne. It was to this effect: that a man whose name I gave at the time was then taking by force and against the will of their parents two native boys. No notice was then taken of my report. Five months afterwards one of these boys was so beaten that he died, and was buried in the "Foam Passage." A friend of mine who saw the deed committed came to Roebourne and reported the same, and he has several times informed me that all he got for his trouble was threats. The public in this country have read in the newspapers accounts of the shooting of natives, but there have been many natives killed by other weapons, as I know, from an eighteen-foot oar to a Malay "paddle." The time will shortly arrive when from the Gascoyne to Lagrange Bay I will show up a continuous stream of murder, rapine, and slavery! I will also expose the unlawful persecution I have endured for reporting the same, which in all cases has been hushed up without investigation. In 1884 I caused, through the Aborigines' Protection Society, this native question to be spoken of in the Imperial House of Commons, the Governor of this colony then being in London, myself being detained in Perth, through false representations; but I am quite sure that very shortly the subject will be before that illustrious House again; the members there being the judges and the world the jury. In 1874 I was living at the Governor Weld Hotel, Cossack, and hearing loud cries at the back part of a detached building used as a kitchen, I hastened to the spot. There I saw a native man lying on the ground, senseless, a white man kicking him on the head and face and actually jumping on him. I threw the ruffian from the native, while a police constable was looking on. All he said was, "O, don't Mr." The native died two days after—kicked to death.

This same policeman was subsequently tried at the Supreme Court in Perth for the manslaughter of an old native-man he had under his control, and received a sentence of three months' imprisonment. That same constable was afterwards given an appointment in the public service of the colony.—Yours truly,

DAVID CARLEY.

Perth, June 17th, 1886.

Hon. members would see that the writer said that a "friend of his" at Roebourne informed him of some of these things—it was only hearsay; but he should like to know who this friend of David Carley was. He did not think that any man in the colony knowing this man's character at Roebourne would recognise him as a friend. He would presently inform the House what he knew of this man Carley, personally. There was another letter, published in the Melbourne *Daily Telegraph* of May 4, very much to the same effect, but he did not think it was necessary he should read it to the House. What he wished was that this man who brought forward such allegations against the colony generally, and the settlers of the North-West particularly, should be known and his character inquired into. This man Carley, he knew from his own knowledge—for he once resided at Cossack, where he was well known—was known there as being a thief and a receiver of stolen property. He spoke now of what were known facts. He had known him tried for stealing pearl shells, and he had bought pearl shells on the sly from the settlers' servants, blacks and also Malays. He was certain, almost certain, that he had been prosecuted, and he thought he had been imprisoned, for selling grog to the natives. He knew that he had had about his house several native girls, of very tender age, with whom it was said he was living a life of debauchery. In short, he was looked upon as the greatest nuisance that ever came to the North-West. He saw him on board steamer when he (Mr. Grant) was going to Melbourne, and, knowing him as he did, he thought it was his duty to inform the authorities there who and what he was; so he went to the detective office in Melbourne and described him to them. The police showed him their books at once, showing that they knew all about the man's antecedents. That showed what sort of a character this Mr. Carley was. As he had already said, it was very much against his grain to endeavor to rake up information as regards the antecedents of any man, but, in this case, the circumstances were so extraordinary, that, in the interests of the public and in justice to the settlers of the North-West,

who had been most grossly traduced by this man in the eyes of the world, it was his duty to ask for this information. He thought that justice and fair play demanded it. This fellow had been taken as his text by another individual who came amongst us, named Gribble, who also had traduced the settlers in the basest and blackest manner possible. Under these circumstances, he hoped the House would agree with him that the public should be made aware what sort of a character this man Carley was, and whether he was a man upon whose statements any reliance could be placed. He felt that it was his duty towards the North-West settlers to move for this information, and he would be neglecting his duty towards them and towards the colony, if he had failed to do so.

MR. McRAE seconded the motion.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) said: Sir—the hon. member who has moved this motion asks in it, in the first place, that the Government should make such inquiry as may be necessary to ascertain under what circumstances this man Carley came to the colony. In asking that an inquiry should be made by the Government, I think the hon. member will see, on reconsideration, that the Government are necessarily in possession themselves of this information, and therefore there would be no necessity to institute any inquiries, either to ascertain this man's antecedents before he arrived here or the charges which have been laid against him since he has resided here. But I think the hon. member discloses in the further portion of his notice what he really desires, and that is that such information as the Government possesses of this person should be laid on the table of the House, and the hon. member points out for what purpose he desires that information, namely, that the public and this House may be able to estimate what degree of reliance may be placed upon the man's statements. Well, sir, it does not follow, even supposing this information were laid on the table, that the House and the public would be in a position to estimate from that information the value of this man's statements, for it does not follow that because a man has been convicted on several occasions for different offences—I do not say

whether Carley has ever been convicted, but, supposing he had been convicted—and the hon. member who moved the resolution used a very hard word of him—supposing he had been convicted, or supposing he were known as a man who had committed several offences against the law, it does not follow from that fact that you could form an estimate of the degree of reliance that may be placed upon his statements. If a man is convicted of burglary, for instance, that is no proof that he is a liar, or that he did not on a certain occasion speak the truth. Therefore, on that ground I think the hon. member will see that he would not be affording the public and the House such information as would enable them to form a correct estimate of the value of Carley's statements. Now, sir, I may say at once that the Government sympathise with the hon. member who has moved this resolution, in his desire to obtain this information; they sympathise with him, seeing the statements that have gone forth under the signature of this man; and I may say that I think the Rev. Mr. Gribble, who apparently has associated himself with Mr. Carley—I think that the cause Mr. Gribble has in hand will in no way be furthered or benefited by such an alliance,—that is to say, if Carley is what the hon. member who asks for this information represents him to be. But, sir, there is a very important principle underlying this motion of the hon. member opposite, and that is, whether it would be right and politic on the part of the Government to lay on the table, without the strongest necessity—without the strongest necessity, I say—any information of this character; that is, information disclosing the antecedents of a man. We know that many men have come out to this colony whose antecedents, perhaps, they themselves would certainly desire to draw a veil over, and I think all of us would desire it also. There are many men who came to this colony under a cloud, whose past has been wiped out completely, men who have endeavored to lead a proper life since they came here; and if we once admit that, without the strongest necessity, we are justified in laying bare the past history of these men, you may find yourselves in a difficulty on some other

occasion, when information of this sort may be asked for in respect of other people. Therefore I think the Government should be called upon to exercise extreme caution before they afford information of this character. When men of the class to which we are told Carley belongs arrive in this colony, they are supposed to have been sent here with the view of obtaining a fair and new footing altogether, and they expect that their past will be hidden,—at any rate that it will not unnecessarily be dragged before the gaze of the public. The Government cannot, under the circumstances of this case, so far as those circumstances have gone up to the present moment, see that strong necessity which alone would justify them in complying with the request which the hon. member makes. At the same time, I say the Government sympathise with him; and, perhaps—possessing the information which I gather the hon. member does possess with regard to this man Carley—I hope he will not be inclined to press his motion before the House, because the Government will be unable, I fear, to vote with him. Having the information which he appears already to possess, I hope he will be content to make what use of it he may think fit, in attaining the object which he has in view; for, I say again, that without the strongest necessity—which alone would justify the Government in acceding to his request, and which, so far as the circumstances of this case have at present gone, does not appear to exist here—the Government will be unable to support the hon. member's motion.

MR. GRANT said he had already stated that he had no wish to rake up unnecessarily the antecedents of any man coming to the colony; he thought, as the Attorney General had said, that it was very desirable indeed, as a rule, that a veil should be thrown over the past of such men. But he rather thought in this case he was somewhat justified, considering the gross and black accusations made against the settlers, in breaking through that rule; and he thought the House would be with him that there ought to be a clearing up of this matter, and that this foul and unjustifiable stigma cast upon the settlers of the colony should be removed. It was very hard

and a sore thing indeed that a whole district—the whole colony he might say—should have to rest under such a stigma, cast upon them by such an individual as this, who, when he lived at Roebourne, was known as the pest of the district. If, however, the Government were satisfied, or if the House rather was satisfied, not to take any further action in the matter, he must bow to its decision; but he still felt that the settlers of the North-West would not be thoroughly justified unless this man's character and antecedents were made known to the world.

The motion was then put, and affirmed, on the voices, whereupon the Government called for a division, when the numbers were—

Ayes	...	...	...	11
Noes	...	...	...	6

Majority for	...	...	5
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#### AYES.

Mr. Burges  
Mr. Crowther  
Capt. Fawcett  
Mr. Grant  
Mr. Marnion  
Mr. McRae  
Mr. Scott  
Mr. Sholl  
Mr. Venn  
Mr. Wittenoom  
Sir T. C. Campbell, Bart.  
(Teller.)

#### NOES.

Hon. M. S. Smith  
Hon. J. Forrest  
Mr. Pearce  
Mr. Randall  
Mr. Shenton  
Hon. S. Burt (Teller.)

MR. GRANT moved that an humble address be presented to His Excellency the Governor, informing him that the House had passed the above resolution.

Question—put and passed.

#### PORTUGUESE SAILORS AT ALBANY.

SIR T. COCKBURN-CAMPBELL—who had given notice of an address to the Governor asking for the production of the papers and correspondence connected with the apprehension, in 1884, at Albany, of certain Portuguese sailors who refused duty on board a whale ship—said that when he gave notice of his intention to move the address he had forgotten that a similar motion had been made by the late hon. member for the Vasse (Mr. Carey), and that the Attorney General had stated it would be inexpedient to produce the papers, for certain State reasons. Under the circumstances he did not propose now to move the address standing in his name, which he had intended with the object of refuting certain statements recently made at a

public meeting, affecting the Government Resident at Albany. It was possible, however, that something might yet be heard of the statements referred to, and, in that case, he might possibly put a question to the Colonial Secretary, whose answer would probably afford such information as would refute the statements in question.

#### PUBLIC HEALTH BILL.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) moved the first reading of a Bill to amend the law relating to Public Health.

Motion agreed to.

Bill read a first time.

#### BOAT LICENSING BILL.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) said that he moved the second reading of this bill the other day, but an amendment to refer it to a select committee was proposed and carried. The report of the select committee was now in the hands of hon. members, who would see that the committee recommended that the additional powers sought to be given to the Licensing Boards should not be made applicable to boats, or steamers, to be licensed to carry goods only, because, in cases where no passengers were carried, the working of the boat and the stowage of cargo might safely be left with the lightermen, without the interference of the Board. The committee also recommended an amendment of the working of the 6th section of the Act of 1878, in order to guard against the refusal of a license on account of mere technical or immaterial defects. At present all licenses expired on the 31st December, and the Licensing Boards were in the habit of meeting a few days before that date, in order to grant licenses for the ensuing year. It had been found out at more than one port, and especially at Fremantle—as pointed out by some hon. members when the bill was before the House the other day—that the close of the year was an unusually busy time with lightermen, and that great inconvenience was occasioned in the loading of vessels, by reason of the lighters having to undergo inspection and survey at that particular time. The committee

therefore recommended that all licenses should remain in force until the last day of February, in each year, by which date, the wool ships having completed loading, the necessary inspection and survey of the lighters could be carried out without inconvenience. The committee were also of opinion that the Licensing Boards should be empowered to extend a license for any period not exceeding one month, in the case of a boat being busily employed when the licensing meeting took place, or for any other good and sufficient reasons, and on the deposit of the license fee. As occasions arose when it was expedient to give vessels extra despatch—such as the case of the landing of immigrants, or of a vessel in distress, the committee recommended that Licensing Boards should be empowered to grant temporary licenses to other boats for any period not exceeding seven days, on the payment of a fee of £1. The committee had also taken into consideration the question of fees payable under the Act, and, inasmuch as a fee for survey was now chargeable as well as the license fee, the committee thought that the annual license fee in all cases should be £1—except in the case of very small boats, not exceeding two tons, the fee for which should be 10s. as at present; and that the fee for survey of the boiler, engine, or machinery of any steamer be reduced to one guinea. When the House went into committee on the bill, it was his intention to move several new clauses in order to carry out these recommendations.

The motion for the second reading of the bill was then agreed to.

#### EXCESS BILL, 1881.

Read a third time and passed.

#### HAWKERS ACT, 1882, AMENDMENT BILL.

Read a third time and passed.

#### CHINESE IMMIGRATION BILL.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) moved the second reading of a bill to regulate and restrict Chinese immigration. It would be in the recollection, no doubt, of many hon. members that the attention of the Government was called to this question of Chinese

immigration during the last session of Council, notably by the hon. members who represented the Northern portion of the colony, and it seemed to have been the desire of the House that such steps should be taken here as had been taken in the other Australian colonies, with the view of restricting the introduction of Chinese, more particularly into our Northern territory. So far as this southern portion of the colony was concerned, possibly there was no great necessity for this bill. When the House last session expressed an opinion as to the desirability of restricting Chinese immigration into our Northern territory, the discovery of a goldfield in the Kimberley district was anticipated. That anticipation had since been realised, and a goldfield had been proclaimed, so that the arguments that were used on the occasion he had referred to were of course intensified at the present moment, and, if such a measure as this was going to become law, the sooner it was passed by the House the better, because if we expected a rush of Chinese to the Kimberley goldfields no doubt that rush would take place as soon as our friends the Chinese heard that a payable goldfield had been discovered, at their own door. It must not be forgotten that the portion of the colony where this goldfield had been proclaimed was possibly the nearest part of Australia to China, and that therefore there were far greater facilities and far less expense for Chinamen to locate themselves on these goldfields than probably had been the case as regards any other goldfield in Australia. Hon. members would see that the Governor had addressed certain representations to the Secretary of State on this subject. In a despatch, dated the 10th January, His Excellency said to the Secretary of State: "Should there be any considerable influx of Chinese, as there certainly would be on the declaration of a payable goldfield in this colony, and should the people and Legislature desire to adopt the safeguards which exist in other colonies, and which have been mentioned in this despatch, I am of opinion that my Government should be authorised to take the necessary action, being of course careful to act with due reflection, and not to exceed what the actual circumstances of the case rendered

really necessary." In the same despatch His Excellency informed the Secretary of State that the time had come when the policy to be pursued towards Chinese by the Government of this colony must be decided upon; and His Excellency, expressing his own opinion on the subject, told the Secretary of State that he thought the wishes of the people, as expressed by their Legislature, should be allowed weight, so long as what was desired in the way of restriction did not exceed what had been sanctioned by Her Majesty's Government in other colonies of the Australian continent. The Secretary of State, replying to this despatch, said that Her Majesty's Government would not oppose any legislation in Western Australia based upon precedents afforded by the legislation in those other Australian colonies which had already had recourse to such legislation; "but, unless for some strong reason," the Secretary of State added, "I should deprecate the immediate introduction of any stringent measure." Of course the circumstances now were as strong as they could possibly be. As a payable goldfield had been declared, in the immediate vicinity he might say of that portion of Australia which was nearest to China, if stringent measures were justified upon this question in any colony, certainly they were justified in Western Australia, under our peculiar circumstances, at the present time. Looking at the matter in that light, the Government had deemed it right, in response to the wish of the House, to come down with this bill; and he might say that inasmuch as the Secretary of State had given the Governor to understand that Her Majesty's Government would not object to any legislation of the same character as had been approved in the other colonies, the provisions of this bill followed the legislation of those other colonies. He might say that there was nothing in the bill but what was to be found in the legislation of some of those colonies. It was not an exact copy of the legislation of any one particular colony; but all the provisions here found were also to be found in the Acts of one or other of the neighboring colonies. One or another of those colonies might in their Act leave out a clause or two; for instance, in the present bill there would

be found embodied a provision exempting from the operations of the Act any ambassador or Chinese official from China who might possibly be sent here on a mission. Possibly such a remote contingency, as regards some of the other colonies, was considered not worth providing for, and hence in the Acts of those colonies such a clause had not been introduced—it was mere matter of detail; but all the provisions of the present bill would be found in the legislation of some Australian colony or other. Therefore, he might say that Her Majesty's Government had already approved of every clause of this bill, in other places, and there was no reason to suppose for a moment but that this bill also would obtain the Secretary of State's sanction, if it needed his sanction,—he was not aware whether it would or would not. There was no necessity for him, he thought, to explain the details of the bill at any length; hon. members would, no doubt, have made themselves conversant with them. It was proposed that a poll tax of £10 per head should be imposed on all Chinamen who may hereafter arrive in the colony, whether by land or by sea. The £10 tax was the same tax as was levied in New South Wales, Victoria, and South Australia. Latterly, if he was not mistaken, Queensland had raised her tax to £20 or £30, but the other colonies had kept it at £10; and he was given to understand that that was sufficient to keep the class of Chinamen out which they desired to exclude. The provisions of the bill were of course stringent upon the masters of vessels who might import or endeavor to import Chinamen into the colony in contravention of the law. Chinamen who were at present here of course did not come under the operation of the Act; and if any of these Chinamen already in the colony, at the time of the passing of this bill, desired to leave the colony for a temporary purpose only, intending to return, the bill provided for such a temporary absence. The person desiring to do so would go before the proper authority and obtain from him a certificate exempting him from the provisions of the Act for a certain time, and, so long as he returned within that time, he would be free to come and go free from all payments under the Act. Of course these would be very isolated



cases; but even so small a matter as that was provided for. The definition of "Chinese" in this bill, he might say, was that which obtained in the Victorian Act, namely, "any native of China or its dependencies, or of any island in the Chinese seas, not born of British parents, or any person born of Chinese parents." If a Chinaman should be brought before the Bench charged with any offence under the Act, or being in the colony without having paid this poll tax, there was a provision by which the justices adjudicating the case might decide the question of whether he was a Chinaman within the meaning of the Act, upon their own view and judgment. He thought, having made these few remarks upon the details of the bill, it was all that he was called upon at present to do. If any further information should be desired when the bill arrived at the committee stage, he was sure some member of the Government would be able to afford it to hon. members.

MR. McRAE said they were told that the bill had been introduced for the purpose of preventing a large influx of Chinese to our Northern territory and overrunning our goldfields. He thought the bill did not go far enough in that direction. If the goldfields turned out to be as rich and extensive as they expected, the Chinese would go there, poll tax or no poll tax. They would evade the tax if they could, but they would still come. It was so in the early days of the Victorian goldfields, when a similar measure was passed in that colony; the Chinese went there across the border from the neighboring colonies, or they landed at out-of-the-way places on the coast, and travelled to the goldfields in shoals, and soon they had quite 10,000 Chinese there. It would be the same here. A poll tax would not stop them; and if we did not go further than this measure went, the Kimberley goldfields would soon be overrun with them. He thought we ought to pass a measure prohibiting Chinese from having any miner's rights at all.

MR. GRANT said he quite fell in with what his hon. colleague had said. He thought it would be a very simple measure to get rid of Chinamen on the goldfields; all we had to do would be to define the area of the goldfields, draw

a certain line, and restrict them from going across that line. This bill left a great many gaps or loopholes through which Chinese would get in. Thousands and thousands found their way into Victoria in spite of the poll tax, and most of them evaded it, and the authorities were powerless to prevent them. The same thing would happen here. They would come from Port Darwin overland, or land somewhere on the coast and travel to the diggings, tax or no tax. Therefore, so far as excluding Chinese from the goldfields went, this bill would not be sufficient. They had already begun to arrive, and there had been a row between them and the European miners, who would very soon take the matter into their own hands. He did not think the bill met the case at all; and he hoped hon. members would give their most serious consideration to this matter. There was a very strong anti-Chinese feeling among the European population up at the North, and he thought that the Government should protect our own people, and endeavor to conciliate them.

MR. WITTENOOM said he should like to know how the Government proposed to watch the border line between this colony and South Australia. At the present moment, so far as the latest intelligence to hand went, the Legislative Council of South Australia had refused to sanction a Chinese poll tax at all, and there was nothing to prevent them landing in the Northern Territory of South Australia and entering our colony across the border. It was only a short distance from there to the Northern parts of our own territory, and he failed to see how we could possibly prevent the Chinese entering this colony in that way. We could not afford to keep sentries all along the border, and a poll tax would do no good, so that legislation of this character would be of very little use so far as the goldfields were concerned. He had no objection to Chinese as growers of vegetables and so on, but he thought they were most objectionable as miners, and if they were not allowed to get a mining license that would soon settle the difficulty. They made very good servants, if properly treated, but they must be kept away from the diggings.

SIR T. COCKBURN-CAMPBELL said,

as he should not have an opportunity of speaking to the bill in committee, he should just like to say a word or two at this stage. It seemed to him that, as regards this bill and the Pearl Shell Fishery Bill, the view expressed the other day by the hon. member for the Greenough was a right one; he failed to see why we should not distinctly say what we wanted, in these matters. There was not the slightest doubt that what we did want was to exclude these Chinese from our pearl fisheries and from our goldfields at the North. He had been making particular inquiries as to the result of Chinese immigration into the other colonies, and he believed that in the northern part of Queensland their introduction had done no harm but good. Public works could not be carried out without them, and they were found very useful as domestic servants, gardeners, and at such work as that. They did not appear to do any harm until they got on the goldfields, where their presence was very objectionable. Wherever they managed to get on a goldfield—and they always pertinaciously endeavored to make their way to where there was gold to be found—they became a source of annoyance to the whites, and stirred up a very bad feeling. Whether the whites had any just cause for annoyance, he could not say, but there was no doubt that serious disturbances had occurred, and, for that reason, he thought it was highly necessary in the interests of peace and tranquility that the Chinese should be kept from our goldfields. He had been informed that it was a most unlikely thing that they would come by way of the Northern Territory, by sea. It appeared that the story telegraphed down from Derby the other day and published in the local papers, that two hundred Chinamen had attempted to land at King Sound, and that they were forcibly prevented by the diggers from doing so, was all a myth. There were some Chinamen on board the steamer that called at King Sound, but they were workmen who were being sent back to their own country by some railway contractors who had employed them at Port Darwin. They made no attempt at landing, but he believed the diggers had some idea that they might want to land and go to the goldfields; so they held a meeting on the

subject. But as to the diggers preventing them from coming ashore, and driving them back on board the steamer, that was all a myth, a perfect myth. He was told, however, that there were considerable numbers of Chinese on their way to the diggings overland, from Port Darwin, and it was possible that a large number might reach the goldfields in that way, across the Ord; and, with his hon. friend on the right, he failed to see how this bill would prevent them. It was all very well to put a poll tax upon them, but how could we possibly collect the tax? The Government would require to have officers stationed all along this wild border country, and it would be impossible, so far as he could see, to enforce the provisions of the bill in the case of those who travelled overland—and he was informed that very few were likely to come by sea. He thought that the bill, if he understood it rightly, provided that a poll tax should not be necessarily paid in the case of Chinese introduced for the purpose of railway construction, and purposes of that kind, which he thought was a very desirable exemption, for if these goldfields went ahead we should soon have to build a railway to them, either from Derby or Cambridge Gulf, and, from what he understood, it would be impossible to build such a line without Chinese labor. He understood, also, that Chinese domestic servants might be introduced free of taxation. As regards Chinese on the goldfields, he would impress upon the Government the desirability of going to the root of the matter, and, instead of being content with this tax—which, after all, would only have a partial effect—to refuse mining licenses to Chinese diggers, as was done in the other colonies. The Acting Attorney General had read to them certain portions of a despatch from the Secretary of State, who said there was no objection to our legislating in any direction that the other colonies had done. There were two, if not three, of the other colonies, which, in addition to a poll tax, refused to grant miner's licenses to Chinese—if not altogether, at any rate for a certain period; and he would ask the Government whether they really did not think whether the object in view would not be better attained by adopting the same plan here.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) said he might state, in answer to what had fallen from the hon. member for Geraldton, that the South Australian Legislature did prohibit the importation of Chinese. [Sir T. COCKBURN-CAMPBELL: Not to the Northern Territory.] It seemed to him that some hon. members wanted to import Chinese with one hand and to keep them out with the other. This bill placed the same restrictions as regards the introduction of Chinese as servants as the Imported Labor Registry Bill did, but it went further than that and aimed specially at preventing an influx of Chinese to the goldfields. In the other colonies there was nothing in the way of legislation to prevent the introduction of Chinese into the colony beyond a poll tax and the other restrictions to be found in the present bill. The legislation dealing with the question of mining rights would be found in another measure altogether,—the Mining Act; and he might here state that it was the full intention of the Government to introduce such a bill here, which bill, as would be seen by hon. members when the bill was laid on the table, would provide that no Chinaman should obtain miner's rights or leases, for the present at any rate.

The motion for the second reading of the bill was then agreed to.

#### LEGISLATIVE COUNCIL ACT AMENDMENT BILL.

The House resolved itself into a committee of the whole for the further consideration of this bill in committee.

THE CHAIRMAN OF COMMITTEES said the committee had gone through the bill on the previous day, but progress was reported, on the motion of the hon. member for Fremantle, who wished to introduce a new clause.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt): I may ask the hon. member why he wishes to introduce a new clause, and what it is.

MR. MARMION said his object in moving to report progress had been to ascertain whether the Government could introduce a clause into the bill that would enable an election to take place for the Kimberley district at an earlier date than it could take place under the pre-

sent electoral law. Certain preliminaries had to be observed, an electoral roll had to be prepared, and other regulations had to be carried out before an election could take place; and unless some special provision was made for it, no election could be held for the Kimberley district until June next, which would probably be too late for the member to take his seat next session.

THE ACTING ATTORNEY GENERAL (Hon. S. Burt) said the difficulty, he thought, might be got over by introducing a clause into the present bill altering the date for making up the electoral roll for the Kimberley district. He had not had time to consider the question, but he thought the difficulty might be met in that way. He would therefore move the following new clause, to stand as clause 5 of the bill:—"The words 'April,' 'May,' and 'June,' wherever the same respectively occur in sections seven, eight, nine, ten, and eleven of the Ordinance passed in the 33rd year of the reign of Her present Majesty, numbered 13, shall for the purposes of the making up and revision of the first Electoral Lists for the Kimberley Electoral District be read as follows:—'November' instead of 'April,' 'December' instead of 'May,' and 'January' instead of 'June.'"

Question—put and passed.

Schedules agreed to.

Preamble agreed to.

Title agreed to.

Bill to be reported.

THE SPEAKER took the Chair.

THE CHAIRMAN OF COMMITTEES reported, that the Committee had agreed to the bill, with an amendment.

The House adjourned at half-past eight o'clock, p.m.